



PATENT

Attorney Docket No.: 2879(203-3439)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): David S. Keppel

Examiner: Not Assigned

Serial No.: 10/782,211

Group: Art Unit Not Assigned

Filed: December 4, 2003

Dated: March 18, 2004

For: ELECTROSURGICAL ELECTRODE HAVING  
A NON-CONDUCTIVE POROUS CERAMIC COATING

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. It is respectfully submitted that copies of the references listed on pages 1-9 are not required since this application was filed after June 30, 2003 pursuant to 51 C.F.R. §1.98. Copies of foreign references and publications listed on pages 10-14 of form PTO-1449 are enclosed.

Applicant would also like to bring commonly-owned U.S. Application Serial No. 09/419,592 filed October 18, 1999; U.S. Application Serial No. 09/621,029 filed July 21, 2000; U.S. Application Serial No. 10/246,107 filed September 17, 2002; U.S. Application Serial No. 10/474,227 filed October 3, 2003; U.S. Application Serial No. 10/299,650 filed November 19, 2002; U.S. Application Serial No. 10/246,087 filed September 17, 2002; U.S. Application Serial No. 10/090,081 filed March 1, 2002;

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 18, 2004.

Dated: March 18, 2004

Edward C. Meagher

U.S. Application Serial No. 10/164,754 filed June 6, 2002; U.S. Application Serial No. 10/243,274 filed September 13, 2002; U.S. Application Serial No. 10/474,226 filed October 3, 2003; U.S. Application Serial No. 10/338,953 filed January 8, 2003; U.S. Application Serial No. 10/474,168 filed October 3, 2003; U.S. Application Serial No. 10/471,818 filed September 11, 2003; U.S. Application Serial No. 10/474,273 filed October 3, 2003; U.S. Application Serial No. 10/712,486 filed November 13, 2003; U.S. Application Serial No. 10/460,926 filed June 13, 2003; U.S. Application Serial No. 10/461,550 filed June 13, 2003; U.S. Application Serial No. 10/462,121 filed June 13, 2003; U.S. Application Serial No. 10/718,379 filed November 20, 2003 to the Examiner's attention. Copies of these applications are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

[ ] This information disclosure statement is being filed within three (3) months of the filing date of this application.

- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(ii).
  - ☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
  - ☐ Please charge the \$130.00 petition fee to Deposit Account No. 50-2140.
- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 50-2140.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 50-2140. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the



time as required and charge Deposit Account No. 50-2140 therefor.

**TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,

Edward C. Meagher  
Reg. No. 41,189  
Attorney for Applicant(s)

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ECM/gm



without references

Sheet

1 of

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Form PTO-148 (Rev. 10/2003)		Docket Number (Optional) 2879(203-3439)	Application Number 10/782,211
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>			
(Use several sheets if necessary)			
Applicant  David S. Keppel		Filing Date December 4, 2003	Group Art Number

**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	RE36795	7/25/00	RYDELL			
	371,664	10/18/1887	BRANNAN ET AL.			
	702,472	6/17/1902	PIGNOLET			
	728,883	5/28/1903	DOWNES			
	1,586,645	6/1/26	BIERMAN			
	2,002,594	5/28/35	WAPPLER ET AL.			
	2,011,189	8/13/35	F.C. WAPPLER			
	2,176,479	10/17/39	WILLIS			
	2,305,156	4/17/41	GRUBEL			
	2,632,661	8/14/48	CRISTOFV			
	2,668,538	2/9/54	BAKER			
	2,796,065	6/18/57	KAPP			
	3,458,187	3/9/67	PALLOTTA			
	3,643,663	2/22/72	SUTTER			
	3,851,811	3/28/72	HILDEBRANDT ET AL.			
	3,862,830	1/28/75	BALAMUTH			
	3,866,610	2/18/75	KLETSCCHKA			
	3,911,786	10/14/75	FRIDOLPH ET AL.			
	3,920,021	11/18/75	HILTEBRANDT			
	3,921,641	11/25/75	HULKA			
	3,938,527	2/17/76	RIOUX ET AL.			
	3,952,749	4/27/78	FRIDOLPH ET AL.			
	3,970,088	7/20/76	MORRISON			
	3,978,795	9/7/76	STRUNK ET AL.			
	4,005,714	2/1/77	HILTEBRANDT			
	4,074,718	2/21/78	MORRISON, JR.			
	4,087,878	5/9/78	GRIESHABER ET AL.			
	4,088,134	5/9/78	MAZZARIELLO			

Examiner	Date Considered
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Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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<b>U.S. PATENT DOCUMENTS</b>						
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	4,165,746	8/28/79	BURGIN			
	4,232,676	11/11/80	HERCZOG			
	4,300,564	11/17/81	FURHATA			
	4,314,559	2/9/82	ALLEN			
	4,333,467	6/8/82	DOMICONE			
	4,370,960	3/1/83	LOTTICK			
	4,492,231	1/8/85	AUTH			
	4,517,075	5/21/85	GARITO ET AL.			
	4,562,143	11/12/85	LOTTICK			
	4,574,604	3/11/86	KURWA			
	4,587,379	7/1/86	KIHN ET AL.			
	4,643,193	2/17/87	DEMARZO			
	4,657,016	4/14/87	GARITO ET AL.			
	4,871,274	5/9/87	SOROCENKO			
	4,885,459	8/11/87	XOCH ET AL.			
	4,704,760	11/10/87	GRIESHABER			
	4,732,683	6/28/88	GRIESHABER			
	4,753,669	8/16/88	JAEGER			
	4,785,807	11/22/88	BLANCH			
	4,827,929	5/9/89	HODGE			
	4,852,200	8/1/89	PHILLIPS ET AL.			
	4,867,812	12/18/89	ESSER ET AL.			
	4,825,518	5/15/90	PHILLIPS ET AL.			
	4,938,781	7/3/90	ENSSLIN			
	5,007,908	4/16/91	RYDELL			
	5,016,401	5/21/91	MANGUS			
	5,026,370	6/25/91	LOTTICK			
	5,089,840	3/31/92	GOBLE ET AL.			
	5,116,332	5/20/92	LOTTICK			
	5,151,102	9/29/92	XAMIYAMA ET AL.			
	5,176,685	1/5/93	OXLEBOHN			
	5,197,954	3/30/93	PARINS			
	5,191,670	3/8/93	LAKE ET AL.			
	5,197,882	3/30/93	SANSOM ET AL.			
	5,215,101	6/1/93	JACOBS ET AL.			
	5,217,457	6/8/93	DELAHUEGA ET AL.			
	5,217,458	8/8/93	PARINS			
	5,244,482	9/14/93	DELAHUEGA ET AL.			
	5,250,047	10/5/93	RYOELL			
Examiner				Date Considered		
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## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,258,006	11/2/93	RYDELL ET AL.			
	5,261,918	11/16/93	PHILLIPS ET AL.			
	5,275,615	1/4/94	ROSE			
	5,277,201	1/11/94	STERN			
	5,282,799	2/1/94	RYDELL			
	5,290,286	3/1/94	PARINS			
	5,304,203	4/19/94	EL-MALLAWANY ET AL.			
	5,308,357	5/3/94	LICHTMAN			
	5,318,589	6/7/94	LICHTMAN			
	5,324,289	6/28/94	EGGERS			
	5,330,471	7/19/94	EGGERS			
	5,334,183	8/2/94	WUCHINICH			
	5,334,215	8/2/94	CHEN			
	5,336,221	8/9/94	ANDERSON			
	5,342,359	8/30/94	RYDELL			
	5,342,381	8/30/94	TIDEMAND			
	5,342,393	8/30/94	STACK			
	5,352,222	10/4/94	RYDELL			
	5,354,271	10/11/94	VODA			
	5,356,408	10/18/94	RYDELL			
	5,366,477	11/22/94	LEMARIE, III ET AL.			
	5,380,320	1/10/95	MORRIS			
	5,383,897	1/24/95	WHOLEY			
	5,389,098	2/14/95	TSURUTA ET AL.			
	5,389,104	2/14/95	HAHNEN ET AL.			
	5,391,166	2/21/95	EGGERS			

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	5,391,163	2/21/95	JANZEN ET AL.			
	5,403,312	4/4/95	YATES ET AL.			
	5,411,519	5/2/95	TOVEY ET AL.			
	5,411,520	5/2/95	NASH ET AL.			
	5,413,571	5/9/95	KATSAROS ET AL.			
	5,415,657	5/16/95	TAYMOR-LURIA			
	5,423,810	6/13/95	GOBLE ET AL.			
	5,425,739	6/20/95	JESSEN			
	5,429,616	7/4/95	SCHAFFER			
	5,431,674	7/11/95	BASILE ET AL.			
	5,437,292	7/4/95	SCHAFFER			
	5,438,302	8/1/95	GOBLE			
	5,441,517	8/15/95	KENSEY ET AL.			
	5,443,463	8/22/95	STERN ET AL.			
	5,443,464	8/22/95	RUSSELL ET AL.			
	5,443,480	8/22/95	JACOBS ET AL.			
	5,445,638	8/29/95	RYDELL ET AL.			
	5,445,658	8/29/95	DURRFELD ET AL.			
	5,451,224	9/19/95	GOBLE ET AL.			
	5,456,684	10/10/95	SCHMIDT ET AL.			
	5,458,596	10/17/95	FEINBERG ET AL.			
	5,460,629	10/24/95	SHLAIN ET AL.			
	5,462,546	10/31/95	RYDELL			
	5,472,443	12/5/95	CORDIS ET AL.			
	5,478,351	12/26/95	MEADE ET AL.			

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## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,484,436	1/6/96	EGGERS ET AL.			
	5,496,317	3/5/96	GOBLE ET AL.			
	5,499,997	3/19/96	SHARPE ET AL.			
	5,509,922	4/23/96	ARANYI ET AL.			
	5,514,134	5/7/96	RYDELL ET AL.			
	5,527,313	6/18/96	SCOTT ET AL.			
	5,531,744	7/2/96	NARDELLA ET AL.			
	5,540,684	7/30/96	HASSLER, JR.			
	5,540,685	7/30/96	PARINS, ET AL.			
	5,540,715	7/30/96	KATSAROS ET AL.			
	5,549,604	8/27/96	SUTCU ET AL.			
	5,558,672	9/24/96	EDWARDS ET AL.			
	5,569,241	10/29/96	EDWARDDS			
	5,571,100	11/5/96	GOBLE ET AL.			
	5,569,243	10/29/96	KORTENBACH ET AL.			
	5,573,535	11/12/96	VIKLUND			
	5,585,696	12/17/96	YAMAZAKI ET AL.			
	5,590,570	1/7/97	LEMAIRE, III ET AL.			
	5,603,711	2/18/97	PARINS, ET AL.			
	5,603,723	2/18/97	ARANYI ET AL.			
	5,626,578	5/6/97	TIHON			
	5,630,833	5/20/97	KATSAROS ET AL.			
	5,637,110	6/10/97	PENNYBACKER ET AL.			
	5,643,294	7/1/97	TOVEY ET AL.			
	5,647,869	7/15/97	GOBLE ET AL.			
	5,647,871	7/15/97	LEVINE ET AL.			
	5,649,959	7/22/97	HANNAM ET AL.			

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	5,858,281	8/19/97	HEARD			
	5,858,282	8/19/97	DAW ET AL.			
	5,867,526	9/16/97	LEVIN			
	5,874,220	10/7/97	FOX ET AL.			
	5,693,051	12/2/97	SCHULZE ET AL.			
	5,695,522	12/9/97	LEMAIRE, III ET AL.			
	5,697,826	12/16/97	WEAVER			
	5,700,281	12/23/97	BRINKERHOFF			
	5,702,390	12/30/97	AUSTIN ET AL.			
	5,707,369	1/13/98	VAITEKUNAS ET AL.			
	5,709,880	1/20/98	YATES ET AL.			
	5,713,895	2/3/98	LONTINE ET AL.			
	5,720,775	2/24/98	LARNARD			
	5,727,428	3/17/98	LEMAIRE, III ET AL.			
	5,743,806	4/28/98	PARINS, ET AL.			
	5,755,717	5/26/98	YATES ET AL.			
	5,762,387	6/9/98	EDGERLY ET AL.			
	5,768,166	8/18/98	HOOVEN			
	5,768,170	8/18/98	EGGERS			
	5,789,849	8/23/98	EGGERS			
	5,776,128	7/7/98	EGGERS			
	5,776,130	7/7/98	BUYASSE ET AL.			
	5,779,701	07/14/98	MCBRAYER ET AL.			
	5,792,137	8/11/98	CARR ET AL.			
	5,792,177	8/11/98	KASEDA			
	5,797,858	08/25/98	YOON			
	5,800,449	9/1/98	WALE			
	5,810,808	9/22/98	EGGERS			
	5,810,811	09/22/98	YATES ET AL.			
	5,814,043	9/29/98	SHAPETON			
	5,827,271	10/27/98	BUYASSE ET AL.			
	5,827,279	10/27/98	HUGHETT ET AL.			
	5,827,281	10/27/98	LEVIN			

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Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,833,690	11/10/98	YATES ET AL.			
	5,843,080	12/1/98	FLEENOR ET AL.			
	5,849,022	12/15/98	SAKASHITA ET AL.			
	5,853,412	12/29/98	MAYENBERGER			
	5,891,141	4/6/99	RYDELL			
	5,891,142	4/6/99	EGGERS ET AL.			
	5,893,883	04/13/99	YOON			
	5,893,875	4/13/99	O'CONNOR ET AL.			
	5,902,301	5/11/99	OLIG			
	5,908,420	7/1/99	PARINS, ET AL.			
	5,913,874	6/22/99	BERNS ET AL.			
	5,921,984	7/13/99	SUTCU ET AL.			
	5,925,043	7/20/99	KUMAR ET AL.			
	5,935,126	8/10/99	RIZA			
	5,951,549	9/14/99	RICHARDSON ET AL.			
	5,954,720	9/21/99	WILSON ET AL.			
	5,976,132	11/2/99	MORRIS			
	5,989,277	11/23/99	LEMAIRE, III ET AL.			
	6,004,335	12/21/99	VAITEKUNAS ET AL.			
	6,024,744	2/15/00	KESE ET AL.			
	6,033,399	3/7/00	GINES			
	6,039,733	3/21/00	BUYSSE ET AL.			
	6,050,996	4/19/00	SCHMALTZ ET AL.			
	6,053,914	4/25/00	EGGERS ET AL.			
	6,053,933	4/25/00	BALAZS ET AL.			
	6,070,444	6/6/00	LONTINE ET AL.			
	6,083,223	7/4/00	BAKER			
	6,086,586	7/11/00	HOOVEN			

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	6,090,107	7/18/00	BORGMEIER ET AL.			
	6,090,109	7/18/00	LANDS ET AL.			
	6,090,617	7/18/00	MESEROL			
	6,096,031	8/1/00	MITCHELL ET AL.			
	6,099,550	8/8/00	YOON			
	6,102,909	8/15/00	CHEN ET AL.			
	6,110,171	8/29/00	RYDELL			
	6,113,598	9/5/00	HOOVEN ET AL.			
	6,113,598	9/5/00	BAKER			
	6,126,658	10/3/00	BAKER			
	6,139,547	10/31/00	LONTINE ET AL.			
	6,152,923	11/28/00	RYAN			
	6,174,309	1/16/01	WRUBLEWSKI ET AL.			
	6,179,834	1/30/01	BUYSSE ET AL.			
	6,179,837	1/30/01	HOOVEN			
	6,183,487	2/6/01	SHAPETON ET AL.			
	6,187,003	2/13/01	BUYSSE ET AL.			
	6,190,388	2/20/01	RYDELL			
	6,193,718	2/27/01	KORTENBACH ET AL.			
	6,206,876	3/27/01	LEVINE ET AL.			
	6,206,877	3/27/01	KESE ET AL.			
	6,224,593	5/1/01	RYAN ET AL.			
	6,228,080	5/8/01	GINES			
	6,228,083	5/8/01	LANDS ET AL.			
	6,267,781	7/31/01	RYAN			
	6,273,887	8/14/01	YAMAUCHI ET AL.			
	6,277,117	8/21/01	TETZLAFF ET AL.			
	6,334,860	1/1/02	DORN			

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						Yes	No
	EP1082944A1	3/14/01	EP				
	EP1080694A1	3/7/01	EP				
	EP1055400A1	11/29/00	EP				
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Applicant

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Group Art Number

**FOREIGN PATENT DOCUMENTS**

	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
	JP5-40112	not avail.	Japan				
	JP2001128990A2	5/1/01	Japan				
	JP2001029356A2	2/6/01	Japan				
	JP2001008944A2	1/15/01	Japan				
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